

Serial No.: 09/819,812
Group Art Unit: 3752

REMARKS

Entry of the foregoing amendments to the claims and further consideration of the subject application, as amended, are respectfully requested.

Initially, Applicant wishes to acknowledge with appreciation the interview accorded the inventor and the undersigned attorney on March 7, 2003, at which the issues raised in the outstanding Official Action were discussed and a proposed amendment was submitted for Claim 1 to distinguish the claims from the prior art. As the Examiner Interview Summary Record (PTOL-413) accurately indicates, the Examiner agreed, subject to further search and consideration, that the proposed amendment to Claim 1 overcame the rejections to the claims over prior art in the outstanding Official Action.

As discussed at the interview by the inventor, Wade Barnett, the invention which is the subject of the patent application was conceived as a way to help people, particularly elderly people, to melt snow and ice from porches and walkways at their homes, although the invention is certainly not limited to this particular use. To this end, the invention comprises a hand-portable spreader for blowing particles of material with an air stream that melt ice or snow. The device includes a grip so as to be hand-portable, a storage chamber which holds particles which melt ice or snow, an air blower which is affixed to the top of the storage chamber which generates an air stream that carries the particles from the storage chamber through an orifice to an air conduit, and a nozzle from which the air stream and particles are ejected at a velocity which is sufficient to carry the particles from the nozzle for depositing the particles on ice or snow to be melted. The foregoing amendments to Claim 1 emphasize the fact that the invention is directed to a hand-portable device which includes particles which melt ice or snow in the storage chamber and which deposits the particles on ice or snow to be melted.

As pointed out at the interview, none of the prior art references relied upon to reject the claims in the outstanding Official Action disclose or suggest this device as recited in amended Claim 1.

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Thus, Dvorak (U.S. Patent No. 5,779,161) discloses a device for dispensing powdered and granular materials, such as insecticides and fertilizers. There is no disclosure or suggestion in Dvorak of including particles which melt ice or snow in the storage chamber. Dvorak also does not disclose a grip as recited in the claims to render the device hand-portable. For these reasons, Dvorak does not disclose or suggest the present invention as now recited in Claim 1.

Ussery (U.S. Patent No. 5,392,996) is directed to a pesticide duster which attaches to the side of a blower. Ussery does not disclose or suggest a storage chamber which holds particles which melt ice or snow or positioning the air blower affixed to the top of the storage chamber as recited in Applicant's Claim 1. Accordingly, Ussery does not disclose or suggest Applicant's claimed invention.

Dillon (U.S. Patent No. 6,089,477) discloses a backpack spreader that consists of a hopper worn on the back of the user which is connected by a flexible tube to a dispensing gun. The hopper may hold chemicals, including particles that melt snow and ice. The Dillon spreader differs from Applicant's claimed invention in that it does not disclose an air blower affixed to the top of the storage chamber. To the extent that Dillon's "dispensing gun 22" could be considered an air blower (which Applicant believes is highly questionable) it is not affixed to the top of the storage chamber, i.e. the hopper, rather is connected to the bottom of the storage chamber by a flexible tube. For these reasons, Dillon does not disclose or suggest Applicant's claimed invention.

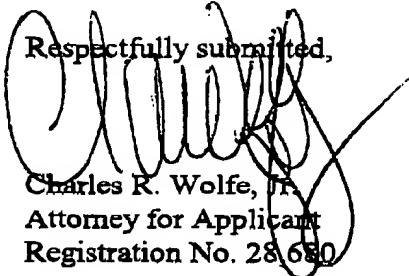
Finally, Williams (U.S. Patent No. 5,190,225) is relied upon by the Examiner solely for its teaching of a shoulder strap in a broadcast spreader. Because this feature of Applicant's invention is recited in a dependent claim which is patentable for the reasons previously given with respect to Claim 1, from which it depends, no further argument is necessary with respect to this secondary reference.

In view of the foregoing amendments to Claim 1, and the accompanying remarks, Applicants respectfully submit that upon entry of the amendments set forth in this paper, the

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application will be placed in condition for allowance. Accordingly, further favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited.

Respectfully submitted,


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Date: March 13, 2003